

1900-033
Lee Co.

Chancery Causes: John W. Miles vs. Fanny Miles

Fleenor, Woodward, Patrick, Munsey

CA-Divorce
T-Nices

Hon. H. A. W. Skeen,
Judge of the Circuit Court
of Lee County Virginia;

Your orator, John W. Miles,
humbly complaining, sheweth
unto the court: That he is twenty
one year of age and is a citizen of the
county and state aforesaid, and has
lived in Lee County Virginia more
than two years, That he was mar-
ried to Fanny Gleason on the
day of 1899 in said county,
she also being a citizen of said county
and state. That he was to her a
faithful and true husband, and that
shortly after his marriage to her,
his said wife, he learned to
his deep sorrow and disgrace that
she was with child by some
person ^{other} than himself, which con-
dition she was in at the time
of their marriage and of which at
that time he had no knowledge.

Your orator avers that at the
time of his marriage to her, his
said wife, that he had no knowl-
edge that she was with child and

that he has not cohabited with her since he learned that she was with child as aforesaid.

Your orator further avers that there is no collusion between him and his said wife for the purpose of obtaining a divorce.

In consideration whereof, and forasmuch as your orator is remediless, save in a court of equity, he prays that the said Fanny Miles may be made a party defendant to this bill, and be required to answer the same, but not upon oath, that being waived, and that your orator be granted an absolute divorce, a vinculo matrimonii, from his said wife, that he be granted general relief, and that subpoena may issue to, and he will ever pray &c.

H. L. Woodward, Jr.

John W. Miles
vs } Dubhany,
Hairy Miles.

1900. 1st Feby rules Bill
filed. Sp. Executed.
" 2nd Feby rules Cause
Set for hearing.

March Term 1900.
Decree final O.B.
No 6 Page 355.

go to oo
m

J.O.Gibson& CO.

Vs.

In chancery.

Thos.J.Ely

This cause came on to be heard upon the bill and Papers filed

therein and it appearing to the court that the ~~principal, interest~~ principal, interest and costs have been fully settled, and nothing ~~is~~ further remaining to be done in the cause the same is ordered to be stricken from the docket.

J. O. Gibson & Co
No 3 Decree

D. J. Ely

Entered on Chy. A.B.
No 6. P. 357.

Enter this

Hawthorn

March 6th. 1900.

John W. Miles, Plff.
vs
Fanny Miles Dft. } In Chancery,

This cause came on this day to be heard upon the bill of the plaintiff and the depositions of witnesses and was argued by counsel, and it appearing to the court that process has been duly served on the defendant Fanny Miles, and it further appearing to the court, from the depositions of witnesses that the defendant Fanny Miles was with child before her marriage to the plaintiff John W. Miles by some person other than the said John W. Miles her husband. On consideration of all which it is adjudged, ordered and decreed that the ~~said John W. Miles and Fanny Miles~~ bonds of matrimony heretofore existing between the said John W. Miles and Fanny Miles, be and they are hereby dissolved.

It is further adjudged, ordered and decreed that the plaintiff

reconer of the defendant the costs
of this suit, to be taxed by the
clerk, for which execution may
issue if desired.

And^d this cause is stricken
from the docket.

John W. Miles
vs { Decree
Fanny Miles

Entered on Chy. O.B.
No 6. Page 355-

Enter this decree

H. C. C. Skene

March 6 1900.

The depositions of John W. Miles,
Jesse Woodward, Henry Patnode & New Munsey
taken before me, W. A. Baker
a Justice of the Peace for Lee County, Virginia
in pursuance to notice hereto annexed, at the
law office of H. L. Woodward, in Jonesville Va.
on the 24th day of February 1900. between the
hours of 9 A. M. and 5 P. M., to be read as
evidence in behalf of John W. Miles in a
certain suit in equity depending in the
Circuit Court for Lee County Virginia,
wherein John W. Miles is plaintiff and
Fanny Miles defendant

Present H. L. Woodward, attorney for plaintiff.

The witness John W. Miles being duly
sworn, deposes as follows:

Ques (1)

What is your age, occupation and
place of residence?

Ans.

My age is 21, farmer, Lee County Virginia

Ques (2)

Are you the plaintiff in the above
cause, and when were you married to
the defendant Fanny Miles?

Ans.

I am, November 1899.

Ques (3) When you married her did you think she was a chaste and virtuous woman?

Ans. I did.

Ques. (4) What did you learn as to her condition after you were married?

Ans. I learned that she was pregnant by some one other than myself.

Ques. (5) Did you have any knowledge that she was with child before you were married to her?

Ans. I did not.

Ques. (6) Did you ever have any unlawful connection with your wife before marriage?

Ans. I did not.

Ques. (7) Did you quit living with her as soon as you learned that she was with child?

Ans. I did.

And further this deponent says that

attest - W. Baker John ^{W. H.} Miles
W. H. Miles

Jessie Woodward another witness of lawful age being duly sworn deposes as follows:

Ques. 1. What is your residence &

place of residence?

Ans

I am 35 years old, & a farmer & reside in Le Sainty Quebec

(Ques 2)

Are you acquainted with the defendant, Fannie Miles?

Ans

I am.

(Ques 3)

Did the defendant - Fannie Miles at any time make a statement to you concerning her pregnant condition?

Ans.

The next day after the defendant - Fannie Miles was married she told me that - she was ruined; as I understood her she had reference to her pregnant condition. I asked her what made her do that - & she said it for the want of care. I also asked her who the child belonged to & she replied that - she never expected to tell - that - the child would have to show for itself. She also said, that - it had been about - two months since conception.

(Ques 4)

Have you seen her frequently since that time & does she present the appearance of a pregnant condition?

Ans

She looks to be in that fix - & since her marriage she shows more to be pregnant.

but before that time I couldn't
tell from her looks that she
was pregnant.
And further from this depo-
nent suggest not.

Jesse Woodward
Witness (day 50)

Henry Patrick, another witness of
lawful age being duly sworn, de-
posed as follows:

Ques. 1 What is your age, occupation and
place of residence?

Ans. My age 31 years, Farmer, Lee County
Virginia.

Ques. 2 Are you acquainted with Fannie Miles,
the defendant in the above case?

Ans. I am.

Ques. 3 Shortly before her marriage to John
Miles, did she make a statement to
you in regard to her being with child?

Ans. She did. She said that she had to
marry or do worse that she was in
a family way. - said that she was about
six weeks advance with child & asked
me if she could do something to destroy
the child. I advised her not to destroy
the child but to marry & in less than
a week from this time she married.

(Ques 4) John Miles
Could you tell from her looks
that she was with child at that time?

Ans. I could not.

Ques 5
Do you know whether or not John
Miles knew before he married the
defendant that she was with child?

Ans. I don't know but believe that he
thought her not with child.

Further more this deponent saith not.
Witness claims 1 day 50¢ H. W. Patrick

No further witness appearing the
taking of these depositions is continued
until Thursday March 1st 1900 at the
same place & between the same hours

W. Baker J.P. at the
office of H. L. Woodward in Grissville
Lee County Va on the 2nd day
of March 1900. Pursuant to
adjournment the deposition of
Mrs. Musey was taken at this place
Present H. L. Woodward for Pliff.

Witness- Mrs. Musey, being duly sworn
deposes as follows:

Ques 1
What is your age, place of
residence & occupation?

Ans.

I am about 23 years of age, live in Lee County Virginia, farmer by occupation.

(Ques. 2)

Do you know the defendant in this suit, Fannie Miles?

Ans.

(Ques. 3)

I do.

Do you know whether the defendant Fannie Miles, was virtuous & a chaste woman at the time, or near the time, of her marriage to John Miles?

Ans.

I know from six months prior & up to within a month of her marriage she was not living a chaste life.

(Ques. 4)

Do you, ^{know} whether or not John Miles Plaintiff in this suit had illicit intercourse with or carnal knowledge of the defendant Fannie Miles prior to their marriage?

Ans.

I don't know. But I know that another has.

And further this deponent says that
not
William Murray
Virginia.

County of Lee to wit:

I, M. G. Baker a Justice of the peace for the County aforesaid & in the said State. do hereby certify that the foregoing depositions of John Miles

1
Henry Patrick, Jesse Woodward
& J. M. Newberry, were duly taken
sworn to & subscribed before me
at the times & places & for the
purposes in the caption hereto
mentioned

Given under my hand this
the first day of March 1900

W. A. Baker, J.P.

W. A. Baker 2 hours \$1.50

John Miles
vs. & Dr Chauncy
Fannie Miles

Depositions
of Henry Paton & et al

To

Fannie Miles

TAKE NOTICE THAT

I

shall on the

24th

day of

February

1900

at

H. L. Woodward law office

in

Jonesville, Va.

between the

hours of

9

A. M. and

3

P. M., of that day, proceed to take the depositions of

Henry

Patrick

and others, which, when taken,

are

intended to be read as evidence in

my

behalf, in a certain suit in

chancery

now

pending in the

Circuit

Court, of Lee County, Virginia, wherein you are

defendant

and

I am plaintiff

; and if, from any cause, the taking of said depositions be not com-

menced on that day, or, if commenced, be not concluded on that day, the taking of the same will be adjourned and con-

tinued from day to day, or from time to time, and from place to place, or at the same place, until the same shall be com-

pleted.

Respectfully yours,

John W. Miles.

Per H. L. Woodward, Counsel.

John W. Miles
vs. Depos
Fanny Miles

vs.

Notice to Take
Depositions.

Received from W.A.
Baker the J.P. before
whom taken and
filed March 1st 1900

A.B. Munsey
clerk

p. q.

W.A. Baker J.P. for the County of Virginia
do hereby certify that James Howard
Spears began me & made each that
he delivered a copy of the within
notice to Fanny Miles on February
19th 1900 W.A. Baker J.P.
Feb 24 1900

Jonesville, Va., 189 .

Commonwealth of Virginia Lee County Court:

To W. J. Melcham Sheriff of said County.
I command you to summon Wm. Mausey to
to appear at the office of H. L. Woodward on the
1st day of March 1900 to give evidence in behalf
of John Miles Plff vs. Fannie Miles defendant
in a suit now pending & this in no wise omit
under the penalties of the law

Given under my hand this Feb 24/1900
W. L. Baker

Sumner

Wm. M. M. M.

Executed Feb. 28
1900. by Sumnering
M. M. M. M. M. M.
at H. L. Woodman
office on the 1st day
of March 1900 to 9th
M. M. M. M. M. M.
the Plaintiff.

W. J. M. M. M.
J. L. C.

after sumnering
M. M. M. M. M. M.
Received this fees.
50 ct. cash.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *Fanny Miles*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held
for the said court, on the *16th* Monday in *February 1900* ~~1899~~, to answer a
bill in chancery exhibited against *her* in our said court by *John M*
Miles

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the
court-house, the *6th* day of *January 1900* ~~1899~~, and in the *124th* year of the
Commonwealth.

A. B. Munsey Clerk

John H. Miles

vs. {

SUBPOENA

IN CHANCERY

Fanny Miles

H. L. Woodward, p. q.

To 1st February Rules.

1900. Circuit Court.

Executed Jan 11th 1900
by Delivering an office
copy to Fanny Miles
W. J. Mileyham & Co